

Attorney Docket No.: 94-36-3-US-D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Werenicz et al.

Serial No.: 09/057,406

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Title: METHOD FOR PRODUCING A CONTINUOUS THERMOPLASTIC COATING

Assistant Commissioner for Patents
Washington, D.C. 20231
BOX AF

Art Unit: 1733

Examiner: J. Aftergut

#37 | BM
11-28-01

RESPONSE

In response to the outstanding Office action dated July 31, 2001, Applicants submit the following remarks.

Remarks

Applicants' attorney, Allison Johnson, would like to thank the Examiner for extending her the courtesy of an interview on October 25, 2001. During that interview the Examiner indicated that all of the other references that he was able to locate regarding thermoplastic compositions that met a viscosity characteristic of the claims disclosed direct contact coating methods and that the Maletsky et al. reference was the only reference that did not specify the coating method. Applicants believe that this is telling as to the unique nature of Applicants' invention, as well as to the likelihood that the extrusion method actually used by Maletsky et al. was a direct contact coating method.

Claims 2-6, 8-12, 33-36, 38-42, 44 and 46-56 stand rejected under 35 U.S.C. § 103 over Maletsky et al. (U.S. 4,998,928) in view of Cardinal et al.

Maletsky et al. disclose a moisture proof adhesive coating composition that includes an antioxidant and a blend of an amorphous polymer of propylene, a crystalline polymer of propylene and a resinous mixture of C₄ to C₁₀ hydrocarbons. Applicants note that, in contrast to the statements in the Office action, Maletsky et al. do not seek to obtain a breathable film.

Cardinal et al. disclose coating thermoplastic ester ether elastomers at an extrusion temperature of 240°C.

CERTIFICATE OF TRANSMISSION

I hereby certify under 37 CFR §1.8(a) that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office. Fax No. (703) 872-9053 on November 27, 2001.

Allison Johnson
Signature

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